

Mail Stop Interference  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Tel: 571-272-4683  
Fax: 571-273-0042

Paper 1  
Filed: April 18, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

C. DOUGLASS **THOMAS** and ALAN E. THOMAS  
Junior Party  
(Patent Nos. 5,974,557, 6,216,235 & 6,487,668),

v.

JACK D. **PIPPIN**  
Senior Party  
(Application 10/464,482).

---

Patent Interference No. 105,802 (JL)  
(Technology Center 2100)

---

**DECLARATION – Bd.R. 203(b)**<sup>1</sup>

---

<sup>1</sup> "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1       **Part A. Declaration of interference**

2       An interference is declared (35 U.S.C. § 135(a)) between the above-  
3 identified parties. Details of the application(s), patent (if any), reissue  
4 application (if any), count(s) and claims designated as corresponding or as not  
5 corresponding to the count(s) appear in Parts E and F of this DECLARATION.

6       **Part B. Judge managing the interference**

7       Administrative Patent Judge Jameson Lee has been designated to  
8 manage the interference. Bd. R. 104(a).

9       **Part C. Standing order**

10       A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this  
11 DECLARATION. The STANDING ORDER applies to this interference.

12       **Part D. Initial conference call**

13       A telephone conference call to discuss the interference is set for **2:00**  
14 **p.m. on June 1, 2011** (the Board will initiate the call).

15       No later than **four business days** prior to the conference call, each party  
16 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd.  
17 R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18       A sample schedule for taking action during the motion phase appears as  
19 Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the  
20 schedule prior to the conference call and to agree on dates for taking action. A  
21 typical motion period lasts approximately eight (8) months. Counsel should be  
22 prepared to justify any request for a shorter or longer period.

1 **Part E. Identification and order of the parties**

2 Junior Party

3  
4 Named Inventors: C. DOUGLASS THOMAS, Campbell, California

5  
6 ALAN E. THOMAS, Ocean City, New Jersey

7  
8 Involved Patents: 5,974,557, ('557) issued October 26, 1999

9  
10 Title: Method and system for performing thermal and  
11 power management for a computer

12  
13 Patent: 6,216,235, ('235) issued April 10, 2001

14  
15 Title: Thermal and power management for computer  
16 systems

17  
18 Patent: 6,487,668, ('668) issued November 26, 2002

19  
20 Title: Thermal and power management to computer  
21 systems

22  
23 Assignee (all): None

24  
25 Senior Party

26  
27 Named Inventor: JACK D. PIPPIN, Portland, Oregon

28  
29 Involved Application: 10/464,482, filed June 19, 2003

30  
31 Title: Method and apparatus for programmable thermal  
32 sensor for an integrated circuit

33  
34 Assignee: None

1 The senior party is assigned exhibit numbers 1001-1999. The junior party  
2 is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The  
3 senior party is responsible for initiating settlement discussions. SO ¶ 126.1.  
4

5 **Part F. Count and claims of the parties**

6 Count 1

7 Claim 34 of Pippin's Application 10/464,482  
8

9 The claims of the parties are:

10 Thomas: '557- 1-47  
11 '235-1-54  
12 '668-1-52

13 Pippin: 34

14 The claims of the parties which correspond to Count 1 are:

15 Thomas: '557- 1-47  
16 '235-1-54  
17 '668-1-52

18 Pippin: 34

19 The claims of the parties which do not correspond to Count 1, and therefore  
20 are not involved in the interference, are:

21 Thomas: none

22 Pippin: none

23 The parties are accorded the following benefit for the Count:

24 Thomas: Application 08/262,754, filed June 20, 1994, now  
25 Patent 5,752,011

1  
2 Pippin: Application 08/636,024, filed April 19, 1996,  
3 now Patent 7,216,064;  
4  
5 Application 08/401,473, filed March 9, 1995;  
6  
7 Application 08/124,980, filed September 21,  
8 1993  
9

10 **Part G. Heading to be used on papers**

11  
12 The following heading must be used on all papers filed in this interference,  
13 see SO ¶ 106.1.1:

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

C. DOUGLASS THOMAS and ALAN E. THOMAS  
Junior Party  
(Patent Nos. 5,974,557, 6,216,235 & 6,487,668),

v.

JACK D. PIPPIN  
Senior Party  
(Application 10/464,482).

---

Patent Interference No. 105,802 (JL)  
(Technology Center 2100)

---

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2

Enc:

Revised 3 January 2006

6

cc (via overnight delivery):

Attorney for Thomas:

C. DOUGLASS THOMAS  
1193 CAPRI DRIVE  
CAMPBELL CA 95008

Attorney for Pippin:

ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
1425 K STREET, N.W.  
SUITE 800  
WASHINGTON DC 20005